UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF WEST VIRGINIA AT CHARLESTON

CHRISTOPHER SALDIVAR,

Plaintiff,

v.

Civil Action No. 2:11-00424

AVI FOODSYSTEMS, INC.,

Defendant.

JUDGMENT ORDER

In accordance with the memorandum opinion and order adopting the magistrate judge's Proposed Findings and Recommendation this day entered in the above-styled civil action, it is ADJUDGED, ORDERED and DECREED that the plaintiff, Christopher Saldivar, take nothing against the defendant, AVI Foodsystems, Inc., and that judgment be, and it hereby is, entered in favor of defendant. It is further ORDERED that this civil action be, and it hereby is, dismissed with prejudice and stricken from the docket of the court.

The clerk is directed to forward copies of this order to the pro se plaintiff, all counsel of record and the United States Magistrate Judge.

DATED: September 21, 2012

John T. Copenhaver, Jr.

United States District Judge